

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

POWERHOUSE MARKS LLC,

Plaintiff,

v.

Case No. 04-73923
Honorable Patrick J. Duggan

CHI HSIN IMPEX, INC., COSTCO
WHOLESALE CORP., DICK'S SPORTING
GOODS, INC., DUNHAM'S ATHLEISURE CORP.,
MEIJER, INC., and WAL-MART STORES, INC.,

Defendants.

**ORDER DENYING, WITHOUT PREJUDICE, PLAINTIFF'S MOTION TO
EXCLUDE EXPERT REPORT AND TESTIMONY OF RODNEY CRAWFORD**

At a session of said Court, held in the U.S.
District Courthouse, Eastern District
of Michigan, on February 3, 2006.

PRESENT: THE HONORABLE PATRICK J. DUGGAN
U.S. DISTRICT COURT JUDGE

Presently before the Court is Plaintiff's motion to exclude the report and testimony of Defendant Chi Hsin Impex, Inc.'s expert, Rodney L. Crawford. The Court has reviewed Plaintiff's motion and Defendant's response. Based on the arguments presented by the respective parties, the Court is not prepared to conclude, at this time, that Mr. Crawford's report and testimony should be excluded. The Court, however, will permit Plaintiff to renew its motion prior to Mr. Crawford's testimony being offered at trial. The Court believes it will be in a better position at that time to conclude whether any of Mr. Crawford's testimony should be excluded.

SO ORDERED.

s/PATRICK J. DUGGAN
UNITED STATES DISTRICT JUDGE

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